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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/405,335 | 09/24/1999 | MUSA HANHAN | P3313CIP | 9400 |

7590 01/28/2002
CENTRAL COAST PATENT AGENCY
P.O. BOX 187
AROMAS, CA 95004

EXAMINER

LUU, LE HIEN

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2152

DATE MAILED: 01/28/2002

17

Please find below and/or attached an Office communication concerning this application or proceeding.

HG

A.G

Office Action Summary

Application No.

09/405,335

Applicant(s)

HANHAN

Examiner

Le H Luu

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

1. Claims 1-10 are presented for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-10 rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Kikinis** patent no. **5,727,159**.
4. **Kikinis** was cited as prior art in the last office action.
5. As to claim 1, Kikinis teaches the invention as claimed, including a communication center having agent workstations, a system for enabling a remote agent, using a light computerized device having insufficient power to operate as an agent with full access to data and software tools of the communication center (figure 2), the system comprising:
 - a proxy server executing a software suite (Proxy server 19, figure 2);
 - a first two way data link between the proxy server and a server at the communication center (col. 4 lines 15-34); and

a second two way data link between the proxy server and the light computerized device used by the remote agent (col. 5 lines 34-52);

characterized in that the proxy server, by the software suite, upon establishing a connection over the second data link, ascertains hardware and software characteristics of the light computerized device, establishes a connection to a server at the communication center over the first two way data link at direction of the light computerized device, accesses data and operates software from the server at the communication center on behalf of and according to direction from the light computerized device, transforms the data and results of the software operations into a form useable by the light device, and transmits the transformed information to the light computerized device via the second two way data link (col. 4 lines 15-64, col. 5 line 62 - col. 6 line 36, col. 7 line 57 - col. 8 line 4).

However, Kikinis does not explicitly teach said server is a workstation.

Official Notice is taken that a workstation operates as a server is well known (Schutzman, col. 3 line 33 - col. 4 line 5).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the well known teachings in Kikinis system to use a workstation to provide server functions because it would reduce cost compare to the cost of using a mainframe.

6. As to claim 2, Kikinis teaches said light computerized device is one of a hand held computer, a personal digital assistant, a portable laptop computer, and a cell telephone (col. 4 lines 35-64).

7. As to claim 3, Kikinis teaches the proxy server is a LAN connected server in the communication center (col. 4 lines 29-34, and col. 5 lines 53-61).

8. As to claim 4, Kikinis teaches the second two way data link is one of a dial up telephone connection, a wireless connection or a data packet connection via the Internet (col. 5 lines 44-52).

9. As to claim 5, Kikinis teaches the proxy server and the light computerized device execute an instance of a Nano browser enabling Internet Protocol communication over the second data link (col. 7 lines 1-12).

10. Claims 6-10 have similar limitations as claims 1-5; therefore, they are rejected under the same rationale.

11. In the remarks, applicant argued in substance that

(A) Prior art does not teach accessing data and operating software from the workstation at the communication center on behalf of and according to direction from the light computerized device. Applicant emphasizes that the primary invention as claimed is not connecting to an agent station, nor is it for connecting to an agent station for Internet browsing, but rather, it is for operating software at the agent station from the remote light device.

As to point (A), Kikinis teaches a user uses a hand-held computer to remotely access data and capability of remotely executing a host of routines stored in a server. In addition to WEB browsing capability, Kikinis also teaches a variety of Groupware functions are supported where the hand-held computer can access variable data such as appointment schedules for employees. Inherently, software resides in the server is operating in order to response to the hand-held computer's command (col. 4 lines 15-64, col. 5 line 62 - col. 6 line 36, col. 7 line 57 - col. 8 line 4). However, Kikinis does not explicitly teach said server is a workstation. Official Notice is taken that a workstation operates as a server is well known.

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the well known teachings in Kikinis system to use a workstation to provide server functions because it would reduce cost compare to the cost of using a mainframe.

The teachings discussed above read on accessing data and operating software from the workstation at the communication center on behalf of and according to direction from the light computerized device.

12. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies from the specification from pages 18 and 23-24 are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

13. Applicant's arguments filed on 12/31/2001 have been fully considered but they are not deemed to be persuasive.

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN

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NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached at (703) 305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for **formal communications**; please mark

"EXPEDITED PROCEDURE").

Or:

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(703) 746-7240 (for **informal or draft communications**, please
label "PROPOSED" or "DRAFT").

Or:

(703) 746-7238 (for **After Final communications**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington. VA., Sixth Floor (Receptionist).

A handwritten signature in black ink, appearing to read 'Le Hien Luu', with a horizontal line underneath it.

LE HIEN LUU
PRIMARY EXAMINER

January 24, 2002